

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-THIRD LEGISLATURE

SENATE.

No. 296

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVEN.

AN ACT to authorize the city of Portland to appropriate money
and provide a site for the erection of a State Capitol at
Portland.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. The city of Portland is hereby authorized and
2 empowered to convey to the State of Maine free of any
3 charge or expense to said state a lot of land in said city
4 suitable for a site for a state capitol, and for said purpose
5 may convey any land now owned by it, or may acquire for
6 that purpose by purchase, gift, exchange or otherwise, or by
7 the exercise of the right of eminent domain which is hereby

8 expressly granted to said city for that purpose, such other
9 lands as may be necessary in whole or in part to procure a
10 suitable site for a state capitol and acceptable to a majority
11 of any commission or commissioners appointed by the state
12 to accept the same in its behalf. In addition to said convey-
13 ance of said land for a site for said capitol, said city is also
14 authorized and empowered to pay into the state treasury for
15 the use of said state for the excavation and grading of said
16 land and for the construction, furnishing and equipping of
17 a state capitol thereon, and for no other purpose, the sum of
18 seven hundred and fifty thousand dollars. Said city may
19 appropriate said sum from any funds in its possession and
20 available therefor, or from funds donated to it for that pur-
21 pose, or to be raised by taxation, or by the issue of its bonds,
22 which it is hereby expressly authorized to issue for that pur-
23 pose upon such terms and conditons as its city council may
24 determine, or partly from either of the funds above
25 described.

Sect. 2. In the event that said city of Portland shall deter-
2 mine it to be necessary to take land in addition to that which
3 it owns or has acquired in order to provide in whole or in
4 part a suitable site for a capitol in said city and acceptable
5 to a commission appointed by the state to accept the same,
6 the city council of said city, after hearing, notice of which
7 shall be published three times in two daily papers published
8 in said Portland, the last publication to be at least seven days
9 previous to the date of said hearing, shall cause the land to

10 be so taken to be surveyed, located and so described that the
11 same may be identified, and shall cause a plan and descrip-
12 tion thereof, together with the names of the owners, if
13 known, and the damage awarded them to be filed in the office
14 of the register of deeds for the county of Cumberland and
15 there recorded; upon the filing of the same in said registry
16 of deeds the title to the fee in said land shall immediately
17 vest in said city of Portland and its assigns, and the dam-
18 ages awarded therefor shall thereupon become due and pay-
19 able. If any owner shall deem himself aggrieved by the
20 damages awarded him by said city council, he shall have an
21 appeal therefrom to be taken to the term of the supreme
22 judicial court first to be holden in said county of Cumberland
23 after sixty days from the date of filing of said survey and
24 description of said land in said registry of deeds, by serving
25 written notice of said appeal at least fourteen days before the
26 opening of said term of court, to which an appeal is to be
27 taken, upon the mayor or the clerk of said city and shall file
28 his complaint setting forth the facts in the case on the first
29 day of said term, and may have his damages assessed by a
30 committee of reference under a rule of court, if the parties
31 so agree, or by a jury, and the court shall render judgment
32 and issue execution for the damages recovered with costs to
33 the prevailing party.

Section 3. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, March 20, 1907.

Reported by a part of the Committee on the Judiciary, and tabled for printing under the joint rules.

F. G. FARRINGTON, *Secretary.*